

# Gates withdraws as nominee for CIA

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WASHINGTON — Robert M. Gates, challenged by Democrats and Republicans alike, yesterday withdrew as President Reagan's nominee to head the Central Intelligence Agency, freeing the president to select a candidate untainted by the Iran-contra imbroglio.

The Gates withdrawal was engineered by the new White House chief of staff, Howard H. Baker Jr., who after his first day on the job pronounced the president to be "more energetic, more fully engaged and more in command of difficult circumstances and questions" than he has ever seen him.

Baker, a former Senate majority leader, told reporters that Reagan's nationally televised address on the affair tomorrow at 9 p.m. will be a "marvelous speech," one that Baker said will "have a profound effect on the country's perception of his role as president and his future ability to govern."

The Gates decision, which sources said Baker pushed as necessary for the fresh start he feels Reagan needs, occurred against a backdrop of growing White House anxiety over the speech, which is viewed as essential to a revitalization of the Reagan presidency.

Baker's announcement of Gates' withdrawal was postponed all afternoon as the White House sought to arrange for his replacement. But, Baker said, "we do not yet have an acceptance."

White House officials said the candidates for the job include retired Air Force Gen. Brent Scowcroft, apparently the front-runner, who was a member of the Tower Commission that last week issued a report critical of the White House's handling of the arms dealings. Also being considered are retired Adm. Bobby Ray Inman, a former deputy CIA director, and former Sen. John Tower, who chaired the commission.

Inman, in a phone interview last night, said he would not be interested in the job "under any circumstances." Tower declined to comment. [The Washington Post quoted sources as saying that Tower has turned down the job.]

Baker, in the first of what he said would be frequent meetings with reporters, made these points:

- He has no interest in being a "prime minister," as some have suggested his predecessor, Donald T. Regan, was. "I am acutely aware of the fact that Ronald Reagan is president and I am not," said Baker, who shelved plans to run for president to take the job.

- There will be no "wholesale firings" among the White House staff, although Baker and other officials made it clear that several principal presidential aides who worked for Regan will be departing. Yesterday, a law partner of Baker, A.B. Culvahouse, was appointed White House legal counsel, replacing Peter J. Wallison.

In a letter to the president, Gates, 43, who is acting CIA director, said his decision to remove himself from consideration was made because of "strong sentiment" in the Senate to postpone a vote on his confirmation until the Senate probe of the affair ends, perhaps not until late this year.

Sen. Warren B. Rudman (R-N.H.), the ranking Republican on the Senate investigative panel, predicted last night that the Gates nomination would have been voted down by the Senate, even if it had won committee approval.

Gates, in his letter, said: "I believe a prolonged period of uncertainty would be harmful to the Central Intelligence Agency, the intelligence community and potentially to our national security."

Reagan, after meeting with Gates, said in a statement that he would agree to the request "with great regret." He said he had asked Gates to return to his old job as the agency's deputy director. "At any other time, I am certain that he would easily have been confirmed without delay," Reagan said. "It is clear that at this point confirmation proceedings would not be in the interest of the CIA or the nation."

Gates' nomination was in deep trouble in Congress, with some legislators arguing that it should be withdrawn and a growing number saying it should be put off until the investigations into the Iran-contra question are concluded. Not until then, they said, would they have been able to

make a judgment based on all available data about Gates' role in the arms connection.

During two days of confirmation hearings last month, Gates, a career CIA officer, repeatedly defended his actions. Democrats and Republicans were skeptical of his assertions that he had argued for halting the arms sales while they were in progress, and they faulted him for not being more forceful in telling his former boss, William J. Casey, to halt the program.

Since the hearings, a number of new questions have arisen about Gates' work at the CIA, where he was the No. 2 official until Casey resigned following surgery for a brain tumor. In an effort to address the questions, the committee had scheduled a closed session with Gates for tomorrow, but that has been postponed in light of yesterday's announcement.

Rudman said he thought highly of Gates' credentials, but that too many questions about his role in the arms affair are unresolved. As a result, Rudman said, "in the midst of this investigation, a number of people, including myself, felt that we should not be forced to cast an uninformed vote."

Apparently distressed by reports he was pressured to withdraw, Gates had the CIA issue a statement last night saying: "Mr. Gates wants to make clear that no one asked him to withdraw his nomination. The president never wavered in his support."

Baker, like other White House aides concerned about a growing public perception of the president as out of touch, said he believed Reagan to be firmly in control.

"I would like to say on my own

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responsibility, however, that I do not see a hands-off president, or I do not see an AWOL president," Baker said. He said such issues right now "are uppermost in many people's minds. Is this president fully in control of this presidency? Is he alert? Is he fully engaged? Is he in contact with the problems? And I'm telling you, it's just one day's experience, and maybe that's not enough, but today he was superb."

Even so, Baker didn't dispute the criticisms of the Tower panel, acknowledging at one point, "I think it is clear that during the Iran-contra situation that there were many, many things that the president did not know and that,

under better circumstances, perhaps he should have known."

Baker called the Tower Commission report "a turning point."

"I think that the president was damaged by some allegations from the Tower Commission, but I think that it's more important to observe that he's survived.

"And I think that he's going to grow from this point in strength and popularity, and that he will resume his role as a very popular and very effective president of the United States," Baker said.

Reagan himself had no public appearances yesterday, although reporters and photographers were allowed to record him presiding over a Cabinet meeting.